

# Glasgow Life

Conditions of Service - Leave

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## 1. Introduction

In addition to holidays, employees may also need to take time off for other activities or events in their life. Glasgow Life recognises this and offers an extensive range of leave provisions, designed to support the needs of employees, and the Company alike which are explained in more detail throughout this document.

## 2. Annual Leave

The Company offers generous annual leave entitlement, and the following information applies to all employees.

### 2.1 Leave year

The leave year is from 1 January to 31 December.

All leave must be taken from 1 January of the year it relates to, and by 31 January of the following year. Any leave not taken by 31 January will normally be lost. In very exceptional circumstances, the relevant Director has the discretion to extend the leave period for an employee beyond 31 January, or to pay in lieu of outstanding annual leave.

Where an employee transfers to the Company from a linked employer under the Redundancy Payments Modification Order, they may, on request, be granted unpaid leave of absence for days where they have received a payment in lieu of holidays from the previous employer.

### 2.2 Leave entitlement

Employees are entitled to 30 days (210 hours) annual leave on appointment, rising to 35 days (245 hours) after 5 years continuous Service with the Company (or with another local authority which is reckonable for annual leave purposes).

The entitlement applies to full-time employees who are employed for the full leave year, January to December. The entitlement is reduced, on a pro-rata basis, for:

- Part-time employees; and
- Employees who will have accrued less than a full year's Service during the leave year.

At least two thirds of this should be taken during the months of April to September inclusive.

### 2.3 Employees employed for part of the year

Employees (full-time or part-time) who are regularly employed for only part of the year are

entitled to the normal annual leave provisions proportionate to their total period of actual Service in the leave year.

## **2.4 Variations**

### **2.4.1 Leavers**

Annual leave is granted on the assumption that an employee will remain in Service until the end of the leave year. If the employee leaves the Company before that date, an adjustment will be made to the balance of their salary when they leave. Unless a leaver is dismissed for gross misconduct, they will be granted the rest of the annual leave due to them before their leaving date. If, this leave can't be taken (either at the request of the Service or through unavoidable circumstances), the employee will be paid an allowance instead.

Wherever possible, the relevant Director should make sure that, before the employee leaves, they have taken the proportion of annual leave due to them. Payment in lieu will only be made in exceptional circumstances.

### **2.4.2 Death in Service**

If an employee dies in Service, their named beneficiaries will be paid an allowance in lieu of any holidays that had been accrued at the date of the employee's death. The Company will not recover any payment where the deceased person had already taken more annual leave than they were due.

### **2.4.3 Sickness**

If an employee is off sick, during a period of annual leave, they will be treated as being on sick leave from the date of the self-certificate or the doctor's fit note. On return to work, and at the convenience of the Service, the employee will be allowed the leave with pay that would have been granted had they not been absent through sickness.

Where an employee has been absent through sickness or injury for a continuous period of more than 13 weeks within one leave year, or which straddles two leave years, the relevant Director has the discretion to limit their annual leave. They will base this on an amount equal to the period of actual Service given during the leave year, provided the period of leave observed in any one leave year does not fall below the statutory minimum (currently 28 days). The statutory minimum includes public holidays.

The Company will not recover any excess entitlement if the amount of annual leave taken, before the period of sickness absence, is more than the entitlement established above. Any leave not taken by 31 January will be lost, provided that the period of leave observed in any one leave year does not fall below the statutory minimum of 28 days. The statutory minimum includes public holidays.

## 2.4.4 Broken periods of annual leave

The following table shows the annual leave entitlement if an employee:

- Has less than one year's Service by the end of the leave year;
- Leaves the Company; or
- Has their entitlement reduced due to sickness.

<b>Months</b>	1	2	3	4	5	6	7	8	9	10	11
<b>30 days</b>	2.5	5	7.5	10	12.5	15	17.5	20	22.5	25	27.5
<b>35 days</b>	2.9	5.8	8.7	11.6	14.5	17.5	20.4	23.3	26.2	29.1	32

A 'complete month' covers the period between a date in one month, and the preceding date in the next. An example would be 15 February to 14 March inclusive.

## 2.4.5 Pay

During annual leave, an employee will be paid their contracted pay.

### 3. Public Holidays

As well as their annual leave, employees are also entitled to the following paid public holidays.  These guidelines apply to a five- day working pattern.	Public or general holiday(s)		
<b>Event</b>			
Easter	Good Friday and Easter Monday		
Christmas & New Year	25th falls on	Christmas	New Year
	Monday	25 & 26 December	1 & 2 January
	Tuesday	25 & 26 December	1 & 2 January
	Wednesday	25 & 26 December	1 & 2 January
	Thursday	25 & 26 December	1 & 2 January
	Friday	25 & 28 December	1 & 4 January
	Saturday	27 & 28 December	3 & 4 January
	Sunday	26 & 27 December	2 & 3 January

Employees also get a half-day, or half-shift, on the last working day of the year. Services with varying operational needs may grant employees public holidays which are different from the above. If this happens, the respective Services will confirm the dates, after consultation with trade union representatives.

When Christmas or New Year holidays fall on Saturday or Sunday, specific consideration may have to be given to the definition of the public holiday, where these days are part of the regular working week.

#### 3.1 Other variations

A public holiday falling within a period of annual leave will not count as part of that annual leave.

If an employee works part-time, their entitlement will be worked out on a pro-rata basis. If an employee doesn't work a standard five-day pattern, their line manager will confirm an equivalent leave pattern.

If an employee works a night shift, the holiday will count from the evening before the public holiday, when they start work, to the end of their shift on the day itself. If a public holiday falls on a rest or free day, an employee will be allocated an alternative rest or free day for that week. If an employee is off sick on a public holiday, they will receive sickness allowance on that day, and will be entitled to an agreed day off in lieu when they are back at work.

If the employee has exhausted their sickness allowance, and the public holiday falls during a period of unpaid leave, no payment will be made.

## **4. Fostering Leave**

### **4.1 Entitlement**

- An employee may be entitled to one paid half-day per week, for up to three weeks.
- This may be extended by a further three paid half-days (following confirmation from the appropriate authorities).
- The total paid leave must not be more than six half-days in a six-week period.
- An employee may be allowed to take up to four weeks, unpaid, from the start of the child's placement.
- Employees can attend review meetings, but any leave of absence will be unpaid.
- Before agreeing to any request, line managers will need to consider the needs of the Service.

### **4.2 Qualification**

- An employee must have completed at least one year's Service with the Company before they can qualify for foster leave.
- The employee needs to provide evidence of their status as an approved foster carer from the appropriate authorities.
- If an employee and their partner are both employees of the Company, only one parent may be granted fostering leave.

### **4.3 Notification**

- Prospective or approved foster carers need to apply for paid leave, in writing, to their line manager, at least 21 days before they want the leave to start. A shorter notice period may be accepted subject to the agreement of the line manager.
- The appropriate authorities need to confirm details about the child, or children, being fostered – including their age, any special requirements/circumstances, and any justification if the employee is likely to request extended leave.
- Where carers need to attend review meetings or other activities to support the fostering process, they should give their line manager adequate notice.

## 4.4 Community Parents

- If an employee is a 'Community Parent', they may be entitled to paid leave to attend review meetings. These meetings normally last for two hours and are held every two months.
- The employee must give their line manager adequate notice of the meeting(s), and provide confirmation, from the appropriate authorities, about the meeting(s) and their role.

## 5. Kinship Care Leave

Kinship care is when a child is formally 'looked after' in terms of the Children (Scotland) Act 1995 by their extended family or close friends. Kinship Carers are defined as 'a person who is related to the child or 'a person with whom the child has a pre-existing relationship'.

### 5.1 Entitlement

- An employee may be entitled to two weeks of paid leave (at normal rate of pay) at the start of the placement.
- An employee may be entitled to paid leave (at normal rate of pay) to attend formal appointments in relation to the care of the child/children.
- During a formal Kinship Care Arrangement, the employee will also have access to all other family friendly related arrangements equal to all other employees who are responsible for children.

### 5.2 Qualification

- 26 weeks' continuous Service with the company by the week the employee is notified of a child being placed under Kinship Care.
- The Kinship Care arrangement is recognised as a formal arrangement with appropriate evidence provided.
- Confirmation of formal appointments will be requested.
- If an employee and their partner are both employees of the Company, only one will be granted Kinship Care Leave.

### 5.3 Notification

- The employee must apply for Kinship Care Leave in writing as soon as they are made aware of the placement.
- They will need to let their line manager see any relevant documents which confirm:
  - They are assuming responsibility for the child/children
  - When this arrangement will commence
- The line manager will also require confirmation of formal appointments, such as professional letters or emails with relevant parties/organisations.

## 6. Parental Leave

### 6.1 Entitlement

- An employee may be entitled to up to 18 weeks' unpaid parental leave to care for a child, under the age of 18 or to make arrangements for the care of a child.
- The care of a child may include time off to settle them into playgroup or nursery school, or to care for them if they are sick.

### 6.2 Qualification

To qualify for parental leave, the employee must:

- Be the parent of the child named on his or her birth certificate; or
- Have adopted a child, under the age of 18; or
- Have taken over formal parental responsibility for a child under 18, in line with the Children Act 1989, or the Children (Scotland) Act 1995.

If both parents work for the Company, each one will be entitled to the leave at the same time.

Line managers must be satisfied that the employee has reasonable grounds for the leave and may request evidence of this.

### 6.3 Notification

- Employees must inform their line manager, in writing, at least 21 days before they want the leave to start.
- They will need to confirm both the start and end dates of the parental leave, and include any request for annual leave, if they want to combine the two.
- They will need to let their line manager see any relevant documents which confirm:
  - They are the parent, adopting parent, or have acquired formal parental responsibility, for the child;
  - The child's date of birth;
  - The expected date of placement, if adopting;
  - Why they are requesting parental leave, for example to care for the child.

### 6.4 Exceptions and variations

- Employees may be limited to taking four weeks each year, unless their line manager agrees, in exceptional circumstances, to the full 18 weeks.
- If the employee works part-time, their entitlement will be calculated on a pro-rata basis.
- If the employee does not work a five-day working pattern, their line manager will work out an equivalent leave entitlement.
- If an employee wants to combine parental leave with other types of leave, such as maternity or

adoption leave, they will still need to apply for those separately.

- Whilst on parental leave, an employee will still be entitled to their full annual leave entitlement. However, they won't be entitled to any public holidays that fall during the period of leave.
- Parental leave cannot be taken after the date of the child's 18th birthday. The only exception is if the line manager postpones their parental leave.

## 6.5 Postponement of parental leave

- Line managers may postpone a request for leave, for up to six months, if it can be shown that the Service would be significantly affected in a detrimental way.
- However, they cannot do this without the employee's agreement if the employee has already given notice to take leave immediately after their child is born, or placed with them for adoption.
- If parental leave is postponed, the employee will receive a letter within 7 days of their request, confirming why it has been postponed, and the alternative dates when they can take the leave.
- These alternative dates must be within six months of the start date of the original leave request.

## 7. Time off to care for Dependants

### 7.1 Entitlement

- Line managers may agree to employees having time off, during working hours, to care for a dependent in unforeseen emergencies.
- Examples may include situations where:
  - a dependent fall ill, is injured, or assaulted; or
  - there is an unexpected disruption, or termination, of their care arrangements; or
  - there is an unexpected incident involving the employee's child whilst at nursery or school
- Before agreeing to the leave, line managers must discuss the circumstances with the employee, to determine what's 'reasonable' and 'necessary'.
- The employee may then be allowed up to one day's paid leave.
- Any further leave will be unpaid, and shouldn't normally last more than two to three days in total.
- This type of leave should only be granted for unforeseen emergencies. Line managers have the right to refuse requests, if the same employee makes them on a regular basis.

### 7.2 Qualification

A dependent is defined as:

- A wife, husband;
- A civil partner;
- A child;
- A parent;

- Someone who lives in the same household as you; or
- Anyone else who reasonably relies on you for help and support.

## 7.3 Notification

- Employees should tell their line managers as soon as possible, explain the circumstances, and discuss how much time off they're likely to need.

## 8. Carer's Leave

### 8.1 Entitlement

Employees are entitled to one week of unpaid leave in a 12-month period to provide or make arrangements for the care of a dependant with a long-term care need. A 'week' means the length of time they usually work for the Company over 7 days.

Leave can be taken as either a whole week off, individual days or half days throughout the year.

If an employee cares for more than one person, they cannot take a week of carer's leave for each dependant. The entitlement is for one week regardless of number of dependants.

### 8.2 Qualification

- A dependant does not have to be a family member. It can be anyone who relies on the employee for care.
- A 'long-term care need' covers an illness or injury both physical or mental that requires, or is likely to require, care for more than three months; a disability in terms of the Equality Act 2010; or care for a reason connected with old age.

### 8.3 Notification

Under the regulations employees need to give their line manager notice before they want their leave to start as follows: -

Number of days requested	Minimum notice required
Half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice

The notice period needs to be in full days, even if the request includes half day amounts.

Line managers may delay a request for leave, for up to 1 month, if it can be shown that the Service would be significantly affected in a detrimental way. The line manager is required to confirm the reason for the delay and a new date in writing to the employee within 7 days of the initial request, and before the original start date.

## 9. Bereavement

An employee can normally take up to five paid days leave, if they lose their partner, a parent, a child over the age of 18 or have a similar relationship with the deceased.

In other cases, they will be allowed to take the necessary paid time off, to attend the ceremony.

Line managers may, taking the circumstances into account allow paid time off to allow employees to conduct business in preparation for the ceremony.

## 10. Parental Bereavement

Parents can take up to two week's paid leave following:

- The loss of a child under the age of 18;
- A miscarriage (loss of a baby before 24 weeks of pregnancy);
- A still birth (loss of a baby from 24 weeks of pregnancy);
- An ectopic or molar pregnancy.

Leave can be taken anytime in the 56 weeks after the loss; and in one continuous two-week period, or two separate blocks of one week each.

## 11. Medical Treatment

Appointments for optical, dental, orthopedic, or other medical, treatment should be arranged outside normal working hours.

If this is not possible, line managers must be satisfied of this, before agreeing to paid leave for the treatment.

If, for personal reasons, an employee prefers to receive treatment during working hours, their line manager may agree to this, but only after considering the needs of the Service.

If the treatment is for an accident at work, paid leave will be agreed.

If an employee is having a preventative medical examination, they will be entitled to take reasonable paid time off.

## **12. Service in non-regular Forces**

Where an employee is a member of the Non-Regular Forces and needs to attend an annual training camp for at least one week, they will be entitled to additional paid leave, up to a maximum of 15 days. The entitlement is only for the time they actually spend at the training camp.

The employee may receive separate 'Service pay and allowances' from the Non-Regular Forces, for attending the camp. Therefore, the equivalent amount will be deducted from their pay. Superannuation contributions on normal full salary are payable either by deduction from civil pay make-up, or if Service pay and allowances exceed civil pay, by the employee.

Employees granted leave in these circumstances must provide their line manager, on their return, with an official note from their Commanding Officer, of their attendance and any pay and allowances received.

## **13. Jury and Witness Service**

### **13.1 Jury Service**

When an employee receives a summons to serve on a jury, they must advise their line manager. The employee will be granted special leave with pay to attend, subject to the deduction of the allowances they are entitled to under the Jurors' Allowances Regulations. The employee should claim these allowances.

To determine whether the jury service allowance is payable, the line manager/Service will give employees an official note of their hourly rate. This note will be endorsed by the Court Authorities to show the amount paid and must be returned to the Company by the employee.

### **13.2 Witness Service**

Where an employee is cited to attend as a witness, leave of absence will be granted:

- With pay, in the case of professional witnesses, and on the understanding that witness fees received (excluding travelling and subsistence expenses) are paid to the Company; and
- Without pay, in other cases. (Employees must claim an allowance to cover loss of remuneration, directly from the person citing them).

A note should also be supplied to employees cited as witnesses to prove their claims for allowance in respect of loss of remuneration. Deductions will be made from an employee's salary when the courts return the expenses confirmation form.

## **14. Employment Tribunal**

Where an employee has to attend an employment tribunal, relating to their employment with the Company, they may be given reasonable leave of absence, with pay. This applies whether they are called as a witness, or whether they have to attend because of a submission they have made against the Company.

## **15. Public Duties**

### **15.1 Leave with Pay**

Employees', who are appointed Justices of the Peace, or members of Children's Panels, will be granted paid leave of absence. This will be limited initially to the equivalent of 24 half-days per year, to undertake duties in connection with their appointments.

If they need more than 24 half-days per year, the Head of HR will decide whether further leave of absence should be granted and whether this leave is with or without pay.

Employees' who are local authority Councillors, will be granted leave of absence as and when required, to undertake approved duties with the local authority concerned. This will be for a maximum of 208 paid hours in any financial year.

Employees', who are engaged by government departments, in an advisory capacity, will be granted leave of absence with pay to undertake such duties as agreed with the relevant Directors.

### **15.2 Leave without Pay**

Employees', who are members of school boards, will be granted leave of absence, without pay, for related duties, which occur during their hours of work.

Employees' who are members of visiting committees to prisons, remand centres and young offender's institutions, will be granted unpaid leave of absence, as and when required, for related duties which occur during their hours of work.

### **15.3 Other public duties**

Heads of Service may grant leave with or without pay, for other public duties not specified above. An example of this is where an employee is a member of a Fostering or Adoption Panel.

Before granting the leave, Heads of Service must take into account the needs of the Service if the leave is not granted the employee concerned can refer the matter to the relevant Director.

## **16. Social Purposes**

If an employee carries out duties or Services of an honorary, charitable, or philanthropic nature, they may be entitled to up to one day's paid leave.

## **17. Election Duties**

Where an employee carries out official duties at parliamentary elections, referenda, council elections, assembly and EEC elections, they will be entitled to paid leave for those duties.

If the employee is a Parliamentary Candidate, or a Parliamentary Election Agent, they will be entitled to unpaid leave, for up to 4 weeks, at the time of the election.

If the employee stands as a candidate at Council elections, they'll be entitled to one day's unpaid leave, on the day of the election.

In all cases, line managers must take the needs of the Service into account, before agreeing any leave.

## **18. Miscellaneous Leave**

If appropriate, line managers may grant leave in special circumstances, with or without pay, subject to the needs of the Service.

Where this is the case, they should seek advice from the HR team and approval from the relevant Head of Service.